

## SUBCHAPTER B—PAYMENT PROCEDURES

### PART 140—REIMBURSEMENT

#### Subparts A–D [Reserved]

#### Subpart E—Administrative Settlement Costs—Contract Claims

Sec.

- 140.501 Purpose.
- 140.503 Definition.
- 140.505 Reimbursable costs.

#### Subpart F—Reimbursement for Bond Issue Projects

- 140.601 Purpose.
- 140.602 Requirements and conditions.
- 140.603 Programs.
- 140.604 Reimbursable schedule.
- 140.605 Approval actions.
- 140.606 Project agreements.
- 140.607 Construction.
- 140.608 Reimbursable bond interest costs of Interstate projects.
- 140.609 Progress and final vouchers.
- 140.610 Conversion from bond issue to funded project status.
- 140.611 Determination of bond retirement.
- 140.612 Cash management.

APPENDIX TO SUBPART F—REIMBURSABLE SCHEDULE FOR CONVERTED “E” (BOND ISSUE) PROJECTS (OTHER THAN INTERSTATE PROJECTS)

#### Subpart G [Reserved]

#### Subpart H—State Highway Agency Audit Expense

- 140.801 Purpose.
- 140.803 Policy.
- 140.805 Definitions.
- 140.807 Reimbursable costs.

#### Subpart I—Reimbursement for Railroad Work

- 140.900 Purpose.
- 140.902 Applicability.
- 140.904 Reimbursement basis.
- 140.906 Labor costs.
- 140.907 Overhead and indirect construction costs.
- 140.908 Materials and supplies.
- 140.910 Equipment.
- 140.912 Transportation.
- 140.914 Credits for improvements.
- 140.916 Protection.
- 140.918 Maintenance and extended construction.
- 140.920 Lump sum payments.
- 140.922 Billings.

AUTHORITY: 23 U.S.C. 101(e), 106, 109(e), 114(a), 120(g), 121, 122, 130, and 315; and 49 CFR 1.48(b).

#### Subparts A–D [Reserved]

#### Subpart E—Administrative Settlement Costs—Contract Claims

SOURCE: 44 FR 59233, Oct. 15, 1979, unless otherwise noted.

##### § 140.501 Purpose.

This regulation establishes the criteria for eligibility for reimbursement of administrative settlement costs in defense of contract claims on projects performed by a State under Federal-aid procedures.

##### § 140.503 Definition.

Administrative settlement costs are costs related to the defense and settlement of contract claims including, but not limited to, salaries of a contracting officer or his/her authorized representative, attorneys, and/or members of State boards of arbitration, appeals boards, or similar tribunals, which are allocable to the findings and determinations of contract claims, but not including administrative or overhead costs.

##### § 140.505 Reimbursable costs.

(a) Federal funds may participate in administrative settlement costs which are:

- (1) Incurred after notice of claim,
- (2) Properly supported,
- (3) Directly allocable to a specific Federal-aid or Federal project,
- (4) For employment of special counsel for review and defense of contract claims, when

(i) Recommended by the State Attorney General or State Highway Agency (SHA) legal counsel and

(ii) Approved in advance by the FHWA Division Administrator, with advice of FHWA Regional Counsel, and

(5) For travel and transportation expenses, if in accord with established policy and practices.